

## ***REMARKS***

Claims 1 - 17 are pending in the application and are presented for reconsideration.

By the foregoing amendments, claims 1 - 3 and 5 - 17 are sought to be amended.

These changes are believed not to introduce new matter, and their entry is respectfully requested. The claims have been amended merely to clarify the claims and expedite the prosecution of the application, not to overcome any cited references.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

### ***Rejections under 35 U.S.C. §112***

The Examiner has rejected claims 1 - 4 as allegedly not specifically pointing out and distinctly claiming the subject matter of the invention. The Examiner has stated that claims 1 - 4 would be allowable if amended to overcome these rejections.

Claims 1 - 3 have been amended as shown above. Claim 4 is allowable because it is dependent on amended claim 1. Particularly, claims 1 - 3 have been amended to clarify structural relationships between elements, to show how previous measurements are obtained, and to avoid use of the word "logic" to accommodate the Examiner's belief that it renders the claim indefinite. For explanation of the nonlinear estimation reference constant, Applicant directs the Examiner to the specification, and particularly to paragraph [0033]. This amendment of the claims is made so as to more clearly define the invention, and not to narrow their scope of

protection with respect to the prior art, or with respect to potentially infringing devices/compositions/articles.

***Rejections under 35 U.S.C. §102***

The Examiner has rejected claims 5, 6, 11, 12 and 17 as allegedly being unpatentable over U.S. Patent Application No. US 2004/0131094 (“Miremadi”).

Applicant reserves the right to swear behind Miremadi by showing prior invention. However, Applicant believes that the above Amendment and the following remarks are sufficient to overcome the Examiner’s rejection. Therefore, Applicant respectfully requests that the Examiner reconsider the rejection, and withdraw it.

In a rejection under 35 U.S.C. §102, each and every claim element must be present in the applied reference. As amended, independent claims 5, 11 and 17 recite “adjusting for nonlinear estimation of the current measured output power value”. The present invention advantageously enables control of laser diodes with linear as well as non-linear output characteristics.

The cited paragraphs [0020] to [0029] of Miremadi do not disclose adjusting for nonlinear estimation of the current measured output power value. As seen in paragraphs [0027]-[0028] of Miremadi, Miremadi merely attempts to control a laser diode in the linear lasing mode by modulating its drive current based on an operational efficiency determined by the linear equation at the end of paragraph [0027] of Miremadi. However, Miremadi does not disclose adjusting a bias current and a modulation current by adjusting for nonlinear estimation of the current measured output power value. Miremadi does not disclose control of laser diodes with

non-linear output characteristics. Therefore, it is respectfully submitted that the rejection should be withdrawn as to claims 5, 11 and 17.

As claim 6 is dependent on claim 5, all arguments advanced above with respect to claim 5 are hereby incorporated so as to apply to claim 6. Similarly, as claim 12 is dependent on claim 11, all arguments advanced above with respect to claim 11 are hereby incorporated so as to apply to claim 12. Therefore, it is respectfully submitted that the rejection should be withdrawn as to claims 6 and 12.

As claims 7 - 10 depend from claim 5, all arguments advanced above with respect to claim 5 are hereby incorporated so as to apply to claims 7 - 10. Further, as the Examiner has indicated, claims 7 - 10 contain additional limitations not disclosed by any cited reference. Therefore, it is respectfully submitted that the objection should be withdrawn as to claims 7 - 10.


As claims 13 - 16 depend from claim 11, all arguments advanced above with respect to claim 11 are hereby incorporated so as to apply to claims 13 - 16. Further, as the Examiner has indicated, claims 13 - 16 contain additional limitations not disclosed by any cited reference. Therefore, it is respectfully submitted that the objection should be withdrawn as to claims 13 - 16.

***Conclusion***

Applicant believes that all of the stated grounds of objection and rejection set forth by the Examiner in the Office Action have been properly addressed. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and withdraw them. The Examiner is invited to telephone the undersigned representative if it is felt that an interview might be useful for any reason.

Respectfully submitted  
CHENG YOUN LU

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By:   
John T. McNelis  
Attorney for Applicant  
Reg. No. 37,186  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94306  
(650) 335-7133  
[jmcnelis@fenwick.com](mailto:jmcnelis@fenwick.com)

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